

Calendar No. 267

107TH CONGRESS
1ST SESSION

S. 1621

[Report No. 107-114]

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of community members, volunteers, and workers in a disaster area.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 1, 2001

Mrs. CLINTON (for herself, Mr. SCHUMER, Mr. SMITH of New Hampshire, Mr. CORZINE, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

DECEMBER 7, 2001

Reported by Mr. JEFFORDS, without amendment

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to authorize the President to carry out a program for the protection of the health and safety of community members, volunteers, and workers in a disaster area.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROTECTION OF HEALTH AND SAFETY OF INDI-**
2 **VIDUALS IN A DISASTER AREA.**

3 Title IV of the Robert T. Stafford Disaster Relief and
4 Emergency Assistance Act is amended by inserting after
5 section 408 (42 U.S.C. 5174) the following:

6 **“SEC. 409. PROTECTION OF HEALTH AND SAFETY OF INDI-**
7 **VIDUALS IN A DISASTER AREA.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) HARMFUL SUBSTANCE.—The term ‘harm-
10 ful substance’ means a substance that the President
11 determines may be harmful to human health.

12 “(2) PROGRAM.—The term ‘program’ means a
13 program described in subsection (b) carried out with
14 respect to a disaster area.

15 “(3) WORKER.—The term ‘worker’ includes a
16 first responder to a disaster, such as a police officer,
17 a firefighter, and an emergency medical technician.

18 “(b) PROGRAM.—If the President determines that 1
19 or more harmful substances are being, or have been, re-
20 leased in an area that the President has declared to be
21 a disaster area under this Act, the President may carry
22 out a program for the protection, assessment, monitoring,
23 and study of the health and safety of community members,
24 volunteers, and workers in the disaster area, to ensure
25 that—

1 “(1) the community members, volunteers, and
2 workers are adequately informed about and pro-
3 tected against potential health impacts of the harm-
4 ful substance;

5 “(2) the community members, volunteers, and
6 workers are monitored and studied over time, and
7 receive appropriate care, for any long-term health
8 impacts of the harmful substance; and

9 “(3) information from any such monitoring and
10 studies is used to prevent or protect against similar
11 health impacts from future disasters.

12 “(c) PROGRAM.—

13 “(1) IN GENERAL.—A program may include
14 such activities as—

15 “(A) collecting and analyzing environ-
16 mental exposure data;

17 “(B) developing and disseminating edu-
18 cational materials to community members, vol-
19 unteers, and workers;

20 “(C) providing the public access to current
21 information on continuing releases of a harmful
22 substance in the disaster area;

23 “(D) training and certifying volunteers and
24 workers in the use of personal protection equip-
25 ment;

1 “(E) identifying, performing baseline
 2 health assessments on, taking biological sam-
 3 ples from, and establishing an exposure registry
 4 of community members, volunteers, and work-
 5 ers exposed to a harmful substance;

6 “(F) studying the long-term health im-
 7 pacts of any exposures through epidemiological
 8 studies; and

9 “(G) providing assistance to participants
 10 in registries and studies under subparagraphs
 11 (E) and (F) in determining eligibility for health
 12 coverage and identifying appropriate health
 13 services.

14 “(2) PARTICIPATION IN REGISTRIES AND STUD-
 15 IES.—

16 “(A) IN GENERAL.—Participation in any
 17 registry or study under subparagraph (E) or
 18 (F) of paragraph (1) shall be voluntary.

19 “(B) PROTECTION OF PRIVACY.—The
 20 President shall take appropriate measures to
 21 protect the privacy of any participant in a reg-
 22 istry or study described in subparagraph (A).

23 “(3) COOPERATIVE AGREEMENTS.—The Presi-
 24 dent may carry out a program through a cooperative

1 agreement with a medical or academic institution, or
2 a consortium of such institutions, that is—

3 “(A) located in close proximity to the dis-
4 aster area with respect to which the program is
5 carried out; and

6 “(B) experienced in the area of environ-
7 mental or occupational health and safety, in-
8 cluding experience in—

9 “(i) conducting long-term epidemio-
10 logical studies;

11 “(ii) conducting long-term mental
12 health studies; and

13 “(iii) establishing and maintaining en-
14 vironmental exposure or disease registries.

15 “(d) REPORTS AND RESPONSES TO STUDIES.—

16 “(1) REPORTS.—Not later than 1 year after the
17 date of completion of a study under subsection
18 (c)(1)(F), the President, or the medical or academic
19 institution or consortium of such institutions that
20 entered into the cooperative agreement under sub-
21 section (c)(3), shall submit to the Director, the Sec-
22 retary of Health and Human Services, the Secretary
23 of Labor, and the Administrator of the Environ-
24 mental Protection Agency a report on the study.

1 “(2) CHANGES IN PROCEDURES.—To protect
2 the health and safety of community members, volun-
3 teers, and workers, the President shall make such
4 changes in procedures as the President determines
5 to be necessary based on the findings of the report
6 submitted under paragraph (1).”.

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